

Message Text

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PAGE 01 STATE 095318

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ORIGIN ARA-10

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FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE

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E.O. 11652: N/A

TAGS: PFOR, PGOV, CS

SUBJECT: USE OF LETTERS ROGATORY PROCEDURE IN COSTA RICA

1. SECURITIES AND EXCHANGE COMMISSION HAS REQUESTED DEPARTMENT'S HELP IN CLARIFYING ACTUAL COSTA RICAN COURT PRACTICES AND REGULATIONS GOVERNING USE OF LETTERS ROGATORY PROCEDURE. SEC INQUIRY IS ATTEMPT TO DETERMINE MOST FEASIBLE MEANS OF OBTAINING STATEMENTS FROM WITNESSES IN COSTA RICA REGARDING ONGOING VESCO INVESTIGATIONS.

2. IF SEC WERE TO SUBMIT LETTERS ROGATORY TO COSTA RICAN COURT, WHO WOULD POSE THE QUESTIONS TO THE WITNESS? WOULD THE JUDGE INSIST OR BE OBLIGED TO PUT THE QUESTIONS, OR COULD IT BE ARRANGED FOR THE QUESTIONS TO BE POSED BY AN OFFICIAL OR DESIGNATED REPRESENTATIVE OF THE SEC? EMBASSY CLARIFICATION OF THIS POINT WOULD BE APPRECIATED, ASAP. ALSO DESIRED BY SEC ARE COPIES OF ANY RELEVANT COSTA RICAN STATUTES OR REGULATIONS DEALING WITH THE LETTERS ROGATORY PROCEDURE. OF PARTICULAR INTEREST WOULD BE ANY COSTA RICAN

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PAGE 02 STATE 095318

STATUTE EQUIVALENT TO 28 USC 1782, WHICH GOVERNS THE TAKING

OF DEPOSITIONS ON BEHALF OF A FOREIGN COURT. ENGLISH TRANSLATIONS, IF AVAILABLE, WOULD ALSO BE APPRECIATED. KISSINGER

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Message Attributes

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